

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI**

ALTICOR, INC., and)	
)	
AMWAY CORPORATION,)	
)	
Plaintiffs,)	
)	Case No. 4:21-cv-00308-RLW
v.)	
)	
YIELD NATION, LLC,)	
)	
Defendant.)	

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO
MOTION FOR PRELIMINARY INJUNCTION AND
CONSENT TO HEARING ON MOTION FOR PRELIMINARY INJUNCTION**

COMES NOW defendant Yield Nation, LLC (hereinafter, “Defendant”), and under Fed. R. Civ. P. 6(b)(1)(A), requests an extension of time to respond to Plaintiff’s Motion for Preliminary Injunction (Doc. 6) and consents to the Motion for Hearing on Preliminary Injunction (Doc. 17) of plaintiffs Alticor, Inc. and Amway Corporation, LLC (hereinafter, “Plaintiffs”). In support thereof, Defendant states as follows:

1. Plaintiffs filed their Motion for Preliminary Injunction on March 11, 2021. Doc. 6.
2. Plaintiffs served a copy of their Motion for Preliminary Injunction on Defendant on April 2, 2021.
3. Pursuant to Local Rule 4.01(B), Defendant’s Response to Plaintiffs’ Motion is due on April 16, 2021.
4. Plaintiffs filed their Motion for Hearing on Preliminary Injunction on April 6, 2021. Doc. 17.
5. Because briefing has not yet been completed in this case, neither Plaintiffs’ counsel nor Defendant’s counsel has determined if live witnesses would be called at such a hearing.

6. Furthermore, Defendant still needs to gather evidence in contemplation of any such hearing to respond to Plaintiffs' twelve witness declarations attached to Plaintiffs' Motion for Preliminary Injunction and Plaintiffs' 27-page Memorandum in Support of its Motion (Doc. 10) with embedded exhibits.

7. Therefore, Defendant is not agreeing to any particular date as to a hearing on Plaintiffs' Motion for Preliminary Injunction, but Defendant does consent to such a hearing being set by this Court. Defendant merely reserves the right to ask for more time to prepare for the hearing to depending on the date on which the hearing is set.

8. Also, to enable Defendant to fully and appropriately respond to Plaintiffs' Motion and Memorandum in Support, it requests up to and including May 7, 2021 to file its Response.

9. This request is not intended to cause undue delay or annoyance, and no party will be prejudiced if this Motion is granted.

10. Plaintiffs' counsel has not yet indicated if it will oppose this Motion.

WHEREFORE, while Defendant consents to Plaintiffs' Motion for Hearing for Preliminary Injunction (Doc. 17), Defendant requests up to and including May 7, 2021 to file its Response to Plaintiffs' Motion for Preliminary Injunction (Doc. 6).

Respectfully submitted,

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Counsel for Defendant

CERTIFICATE OF SERVICE

I certify on April 8, 2021 that a true and correct copy of the above and foregoing document was filed using the Court's CM/ECF system, which will automatically send electronic notice of filing to all attorneys of record.

/s/ Thomas R. Applewhite